

*Testimony of*  
*City of Detroit Lansing Lobbyist Kenneth Cole*  
*Before The*  
*MI House Intergovernmental and Regional Affairs Committee*

*May 18, 2010 / 11:30 a.m. / Room 327 House Office Building / Lansing, MI 48933*

Chairwoman Donigan and distinguished members of the House Intergovernmental and Regional Affairs Committee ... On behalf of Detroit Mayor Dave Bing and the honorable Detroit City Council, good afternoon and thank you for affording me an opportunity to engage you on House Bills 5731, 5732 and 5733 – legislation to create a Regional Transit Authority in the Detroit metropolitan area.

My name is Kenneth Cole. I am Sr. Vice President of Governmental Consultant Services Inc. and the City of Detroit's lead lobbyist in Lansing. I know time is of the essence, so I will get right to my brief testimony.

I would be remiss, however, if I did not take a moment to commend Representatives Bert Johnson, John Switalski and you, Chairwoman Donigan, for attempting to tackle the weighty issue of regional transit. Please know that the City of Detroit sincerely respects your diligence, even as it continues to have concerns about the timing and thrust of these bills.

**QUESTIONABLE TIMING / THE POTENTIAL TO CONFUSE**

Permit me to address the matter of timing first.

As you no doubt already know, the City of Detroit desires a local light rail system on Woodward Avenue from 8 Mile Road to Jefferson Avenue downtown and has petitioned the Federal Transit Administration for financial support under the so-called New Starts Program.

Progress is being made on this endeavor. Indeed, the City of Detroit recently assumed control of a \$25 million federal TIGER grant for the first phase of this project, from Jefferson Avenue to Grand Boulevard.

At minimum, the City of Detroit asks the Legislature to disallow this would-be Regional Transit Authority to operate until a dependable statewide or regional funding source has been identified *and* effectuated. Please know that, absent such an identifiable source of funding, it is unlikely the FTA will recognize this would-be Authority as a designated grant recipient because the entity would have no funding history ... no staff ... and no records to audit to determine its viability.

### **GOVERNANCE**

The governance structure prescribed by this legislation also gives the City of Detroit pause for concern.

Specifically, the package calls for the would-be Authority to be directed and governed by a board of directors that initially would comprise one appointment each from the Governor, the Mayor of the City of Detroit, the Wayne County Executive, the Oakland County Executive and the chairperson of the Macomb County Board of Commissioners. It also allows the Authority governing board to adopt bylaws that require a 4/5 vote of serving members on certain action.

This is in stark contrast to the statute prescribing the aforementioned RTCC, which states: *“The Council shall act by a unanimous vote of its membership ...”*

Again, it’s important to note, too, that the RTCC model was used as a template for Southeast Michigan’s most recent foray into regional governance – that being the law creating an Authority to manage Cobo Convention Center.

Section 11 of the Regional Convention Facility Authority Act – *now Public Act 554 of 2008* – expressly states: *“All actions of the board under this act shall require the unanimous consent of all serving members ...”*

Which begs the question: If unanimity on board action is good enough for the above-mentioned regional entities, why is it not for the Authority this package seeks to create?

### **CONSTITUTIONALITY / HOME RULE**



STATE OF MICHIGAN  
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Ismael Ahmed, Director

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Debi Cain, Executive Director

May 18, 2010

Representative Marie Donigan, Chair  
Committee on Intergovernmental & Regional Affairs  
P.O. Box 30014  
Lansing, MI 48909-7514

Re: SB 185 - early lease termination for victims of domestic assault, sexual assault and stalking

Dear Representative Donigan:

I am writing on behalf of the Michigan Domestic Violence Prevention & Treatment Board (MDVPTB) to express the Board's support for SB 185, which would allow for early termination of leases by tenants who present documentation that they have a reasonable apprehension of present danger from domestic violence, sexual assault, or stalking if they remain in their rental housing. This important bill addresses a real safety concern for survivors of domestic violence, sexual assault, and stalking. Many survivors of these crimes would like to relocate to safer housing, but cannot afford to both pay for new housing and meet their rental obligations under existing leases.

The Board notes that survivors threatened by serial offenders who commit crimes of domestic violence, sexual assault, or stalking will give serious consideration to decisions to relocate. In addition to the costs and disruption associated with moving to a new residence, relocation requires thoughtful safety planning, which may entail changing one's daily routines, one's job, one's name, or one's social security number. Nonetheless, the Board recognizes that a mechanism for early lease termination needs to contain safeguards against abuse by unscrupulous tenants. Documentation requirements like those in this bill are intended to address legitimate landlord concerns while offering survivors who need it a workable path to safety. Such requirements may also preserve the efficacy of this remedy by preventing its dilution through frivolous requests, and serve as a gateway to some survivors to obtain outside assistance that they might not otherwise seek out.

Thank you for taking up this bill today, and for your consideration of the Board's comments.

Yours truly,

Debi Cain, Executive Director  
Michigan Domestic Violence Prevention & Treatment Board

CC:  
MDVPTB members  
Rep. Vicki Barnett  
Rep. Timothy Bledsoe  
Rep. Harold L. Haugh  
Rep. Robert B. Jones  
Rep. Deb Kennedy

Rep. Coleman A. Young II  
Rep. Pete Lund  
Rep. Cindy Denby  
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JENNIFER M. GRANHOLM, Governor